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Page 1 of 2



#### United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Parkers and Transcensis Affice.

Advance CLEMBER (ORDER 170): PARTMENT UNITED STATES AND ARCHITICAL ARC

APPLICATION NUMBER FILING OR 371(C) DATE FIRST NAMED APPLICANT ATLY, COCKET NO /FITTLE 10/765,450 01/27/2004 William A. Wiles WILES-004

DONALD J. LENKSZUS PO BOX 3064 CAREFREE, AZ 85377-3054 CONFIRMATION NO. 8592
ABANDONMENT/TERMINATION
LETTER
IMMINISTRATION
\*OC00000015431196\*

Date Mailed: 03/11/2005

### NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for fallure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 06/15/2004.

No reply was received.

If a complete reply to the notice was previously filed by applicant within the time period set forth in the notice, applicant may request for reconsideration of the holding of abandonment within 2 months from the mailing of this notice of abandonment by filing a petition to withdraw the holding of abandonment under 37 CFR 1.181(a). No petition fee is required. The petition must be accompanied by a true copy of the originally filed reply and the item (a) identified in one of the following:

- 1. A properly itemized date-stamped postcard receipt (see MPEP § 503);
- 2. If the originally filed reply included a certificate of mailing or transmission in compliance with 37 CFR 1.8(a), a copy of the certificate of mailing or transmission and a statement in compliance with 37 CFR 1.8(b) (see MPEP §§ 512); or
- 3. If the reply was filed via Express Mail, a submission satisfying the requirements of 37 CFR 1.10(e) including, for example, a copy of the Express Mail mailing label showing the "date-in" (see MPEP § 513).

Any petition to withdraw the holding of abandonment should be directed to OIPE.

If applicant did not previously file a complete reply within the time period set forth in the notice, applicant may file a petition to revive the application under 37 CFR 1.137.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(i); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/81.

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d). See MPEP § 711.03(c) and Form PTO/SB/64.

Page 2 of 2

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

A copy of this notice  $\underline{M}UST$  be returned with the reply.

Z. Moguss Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

#### Notice of Abandonment

This application is abandoned in view of applicant's failure to timely file a proper reply to the Office notice mailed on 06 15 04

# Petition to Withdraw the Holding of Abandonment

If a complete reply to the notice was previously filed by applicant within the time period set forth in the notice, applicant may request for reconsideration of the holding of abandonment within 2 months from the mailing of this notice of abandonment by filing a petition to withdraw the holding of abandonment under 37 CFR 1.181(a). No petition fee is required. The petition must be accompanied by a true copy of the originally filed reply and the item(s) identified in one of the following:

- 1. A properly itemized date-stamped postcard receipt (see MPEP § 503);
- 2. If the originally filed reply included a certificate of mailing or transmission in compliance with 37 CFR 1.8(a), a copy of the certificate of mailing or transmission and a statement in compliance with 37 CFR 1.8(b) (see MPEP § 512); or
- If the reply was filed via Express Mail, a submission satisfying the requirements of 37 CFR 1.10(e) including, for example, a copy of the Express Mail mailing label showing the "date-in" (see MPEP § 513).

Any petition to withdraw the holding of abandonment should be transmitted by facsimile directly to OIPE Customer Service at (703) 308-7751.

## Petition to Revive an Abandoned Application

If applicant did <u>not</u> previously file a complete reply within the time period set forth in the notice, applicant may file a petition to revive the application under 37 CFR 1.137.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of UNAVOIDABLE DELAY must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by:

- 1. an adequate showing of the cause of unavoidable delay;
- 2. the required reply to the above-identified notice;
- 3. the petition fee set forth in 37 CFR 1.17(i); and
- 4. a terminal disclaimer if required by 37 CFR 1.137(d).

See MPEP § 711.03(c) and Form PTO/SB/61.

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of UNINTENTIONAL DELAY must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by:

- 1. a statement that the entire delay was unintentional.
- the required reply to the above-identified notice;
- 3. the petition fee set forth in 37 CFR 1 17(m); and
- 4 a terminal disclaimer B required by 3.1 CFR 4.13.7(d).

See MPFP § 711 03(c) and Form PTO 8B od.

Any questions concerning petitions to revive should be directed to Office of Petitions at (103) 305-9282

Any questions regarding this notice should be directed to OIPE Customer Service at (703) 308-1202

Customer Service Center

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